



Ninety-Seventh Legislature - First Session - 2001
Committee Statement
LB 241

Hearing Date: January 25, 2001

Committee On: Health and Human Services

Introducers: (Price)

Title: Provide for licensure for esthetics instructors and schools of esthetics

Roll Call Vote – Final Committee Action:

Advanced to General File

X Advanced to General File with Amendments

Indefinitely Postponed

Vote Results:

7 Yes Senator Jensen, Byars, Suttle, Price, Cunningham, Maxwell and Erdman

No

Present, not voting

Absent

Proponents:

Senator Marian Price

Judy Roubal

Judy McCaig

Representing:

Introducer

National Cosmetology Association of NE

Cosmetology and Esthetics School

Opponents:

Bruce Nims

Representing:

self

Neutral:

Representing:

Summary of purpose and/or changes: The bill amends the Nebraska Cosmetology Act to provide for licensure and regulation of esthetic instructors and schools of esthetics.

Section 10 of the bill defines esthetics instructor as a "person licensed under the Nebraska Cosmetology Act to teach any or all of the practice of esthetics in a school of cosmetology or a school of esthetics."

In section 71-367, the term "skin care salon" is stricken and replaced with the term "esthetics salon," which is defined as a "fixed structure or part thereof licensed under the Nebraska Cosmetology Act to serve as the site for the performance of any or all of the practice of esthetics by persons licensed or registered under such act."

Section 14 of the bill defines school of esthetics as a "fixed structure or part thereof licensed under the Nebraska Cosmetology Act to serve as the site for teaching the practice of esthetics to esthetics students."

Section 18 of the bill amends section 71-374 to add a school of esthetics owner to the Board of Cosmetology. Section 21 of the bill establishes fees for licensure as an esthetics instructor, esthetics salon, and school of esthetics. Licensure of esthetics instructors is required as of January 1, 2002 (section 22), and qualifications for licensure as an esthetics instructor are provided (sections 23, 24). Eight hours of continuing education is required for licensure renewal as an esthetics instructor (section 29).

Section 34 of the bill provides that a school of cosmetology is not required to be licensed as a school of esthetics in order to provide an esthetics training program.

Section 34 of the bill provides requirements for licensure as a school of esthetics.

Section 42 of the bill provides that a manager of a school of esthetics must hold an active esthetics instructor's license and must be present on the premises of the school at least 35 hours per week.

Explanation of amendments, if any: The committee amendment (AM330) amends the definition of esthetics in section 9 of the bill to clarify that esthetics relates to the application or use of certain apparatus or preparations upon the skin.

The amendment requires that one esthetician, rather than an owner of a school of esthetics, be appointed to the Board of Cosmetology under section 71-374, and requires the State Board of Health to make such appointment by October 1, 2001.

In section 23, the amendment deletes a reference to a three hundred credit requirement for licensure as an esthetics instructor, but retains a three hundred hour requirement beyond the program of study required for licensure as an esthetician.

The amendment changes the required instructor-to-student ratio for schools of cosmetology, esthetics or electrology in section 39 of the bill from one-to-twenty to one-to six, and restores a reference to "freshmen students" which had been changed to "first-year students" in the bill.

Senator Jim Jensen, Chairperson